

**RAGSDALE
ACCUSES
THURMAN,
TEDDER
AND DAN S.
LEHON**

Swears He Signed False
Affi-

davit Fixed for Him,
Was

Paid \$200, and
Promised

\$10,000 More,
Conditionally

SAID VOICE OVER
PHONE

SOUNDED LIKE
LEHON'S

Under Cross –
Examination

Ragsdale Appeared Very Nervous and Frequently Contradicted Himself

That he signed a false Affidavit in which he swore he overheard Jim Conley confess to killing Mary Phagan, that after signing this Affidavit he was paid \$200 through Arthur Thurman and C. C. Tedder, and that a voice over the telephone "like the voice" of Dan S. Lehon promised him \$10,000 more "if the thing went through," was testified Thursday morning by Rev. C. B. Ragsdale in the trial of Lehon, Thurman and Tedder on charges of Subornation of Perjury.

Strenuous objection was made by the Attorneys for the Defense to Ragsdale's testimony as to the alleged voice of Lehon over the telephone, but Judge Hill admitted it.

The Jury was completed at 9:25 o'clock by the Selection of Roscoe F. Bishop, of the real estate firm of Bishop & Turner, and the trial commenced at once. After the list of witnesses on both sides had been read and all the witnesses who were present had been sworn, and after Solicitor Dorsey had outlined the State's

Case and tendered his documentary evidence, Ragsdale took the Stand as the first witness and was still on the Stand. Under cross-examination, Ragsdale appeared very nervous and frequently contradicted himself.

Every seat in the Court Room was taken and a curious crowd stood around the door.

Among the State's Witnesses were Rev. C. B. Ragsdale and R. L. Barber, whose Affidavits in the Frank Case were the cause of the indictments charging Dan S. Lehon, Southern Manager of the Burns Agency, Arthur Thurman, lawyer, and C. C. Tedder, lawyer's striker, with Subornation of Perjury.

Among the witnesses of the Defense was William M. Smith, the lawyer who represented Jim Conley during the Frank trial and who created a sensation some months later by giving out an interview saying he had come to the conclusion that Conley, and not Frank, killed Mary Phagan.

CONLEY WITNESS.

Jim Conley was in a witness cell in the basement of the Court House, ready when he should be called as a witness for the State.

The Defense called as witnesses Luther Z. Rosser, Morris Brandon and Herbert Haas, the lawyers. They were not in the Court Room, but it was explained that they were subject to call at any time.

The witnesses being sworn, Solicitor Hugh Dorsey outlined the State's Case against Lehon, Thurman and Tedder. First, he read the indictments against them. Then he stated that at the time Ragsdale and Barber made their Affidavits, Frank's extraordinary motion for a new trial was pending, and the lawyers for Frank were undertaking to fasten the murder upon Jim Conley. He said the State expects and proposes to show that Ragsdale and Barber were "persuaded and procured" by the three Defendants to make the Affidavits that they overheard Jim Conley

confess to killing the girl, and that Ragsdale and Barber were paid money for making these Affidavits.

OFFERS AFFIDAVITS.

The Solicitor then tendered his documentary evidence. First, the indictment charging Leo M. Frank with the murder of Mary Phagan, and the verdict of the Jury finding him guilty. Second, the notice served on the State of Frank's extraordinary motion for a new trial Third, the original of the Ragsdale and Barber Affidavits.

At this point, Judge Arthur G. Powell, leading Counsel for the Defense, raised the issue against the Affidavits that they were not a part of any Court Record. Judge Hill overruled the point and admitted them as evidence.

Fourth, the Solicitor tendered the Amendment to Frank's extraordinary motion, this Amendment consisting of the Ragsdale and Barber Affidavits.

Fifth, the Solicitor tendered a transcript of the testimony of Jim Conley at the Frank trial. Judge Powell objected to it as immaterial and irrele-

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AND DAN S. LEHON

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Vant. Judge Hill overruled the objection and admitted it. The transcript was then read by Assistant Solicitor Stephens, which consumed upwards of an hour.

RAGSDALE FIRST WITNESS.

When the Solicitor finished tendering his documentary evidence, the taking of testimony began. Rev. C. B. Ragsdale was the first witness called by the State. He took the Stand at 11:20 o'clock, and was on the Stand well over an hour. Summed up, his testimony was as follows:

He identified the Affidavit which had been tendered by Solicitor Dorsey, acknowledged the signature as his, and swore the entire contents of the Affidavit were false. The only truth in the conversation of two Negroes as related by him in the Affidavit was that he heard two Negroes discussing the Frank Case. One asked the other who killed the girl. The other said he had no idea.

He had been in some business transactions with Arthur Thurman, one of the Defendants, and one day in Thurman's Office, in the Spring of 1914, Thurman brought the Frank Case into the conversation. He told Thurman of the conversation he overheard between the Negroes. Thurman told him this conversation could be fixed up to appear as a confession by Jim Conley to another Negro, Thurman said. The date would have to be fixed prior to the date Conley was arrested and he (Ragsdale) would have to swear one of the Negroes was Conley. In the Course of a few days, he saw Thurman again, and Tedder and Barber were present. He was told that they were fixing up the

Affidavit, and that he would get \$10,000 for signing it. Subsequently, he saw Lehon and had negotiations with him.

On April 23, 1914, he went to the Office of Luther Z. Rosser, the lawyer. Mr. Rosser, Lehon and Barber were present. One of them, he didn't remember which, read him the Affidavit. One of them, he didn't remember which, gave him the Oath. He signed the Affidavit.

Continuing, Ragsdale testified as follows:

"After signing the Affidavits, Barber and I went to Thurman's Office. We remained there from the middle of the afternoon until after dark, waiting for Thurman. After a while he came in and told us everything was all right and for us to keep quiet. Then he went out. Finally, his Stenographer told us to come back the next morning, Friday, April 24."

"We went back the next morning and got there before Thurman arrived. After waiting a good while, Tedder came in, put \$200 in bills on the Book Case, and went out. Presently, Thurman came in. He took the money and counted it, gave me half and Barber half, and we started out. Thurman called me back at the door and gave me another \$100. He told me this was just the beginning. He told me he had got \$100 and Tedder had got \$100."

"Then Tedder came in. He had a slip of paper in his hand like the slips they use to wrap up packages of money at the bank. It had \$500 stamped on it in red letters. He showed us the slip, sitting down in a chair, and said: 'Ragsdale, you get \$200; Barber gets \$100; Thurman gets \$100; I get \$100; that's all the \$500.' Then Tedder put the slip on the edge of a Cuspidor, struck a match to it, knocked the ashes in the Cuspidor, and said: 'That's the way to burn up your tracks.'"

"I went home, and that night when my boys and I were standing on the front porch, a man who said his name was Boots Rogers rode up on a motorcycle and told the boys to tell their father not to say a word to anybody unless it was a Burns man,

and he told them the Burns men all had blue cards, like the one he showed.”

PROMISED \$10,000, HE SAYS.

At this point, the Attorneys for the Defense entered a strenuous objection to Ragsdale testifying what Rogers said.

Solicitor Dorsey met the objection by saying he proposed to prove that Lehon sent Rogers to Ragsdale’s House with the message.

Judge Hill admitted the testimony on condition that the State should prove this connection. He said if the connections were not proved, this portion of the testimony would be stricken from the Record.

Ragsdale then went on: “That night, a man with a deep voice like Lehon’s called up on the telephone and –”

The Defense objected on the ground that under the Georgia laws, no witnesses can swear to whose voice he heard over a telephone. Judge Hill overruled the objection and Ragsdale resumed:

“It was a deep voice like Lehon’s, although he didn’t give any name, and was very particular to find who I was before he said anything. He said to me: ‘Ragsdale, you sit steady in the boat now. We can give Bond for any amount, and there’s \$10,000 waiting for you if this thing goes through.’”

This was the climax and the feature of Ragsdale’s testimony had produced a noticeable stir in the Court Room.

Judge Hill at this point took a recess of ten minutes.

RAGSDALE NERVOUS.

When Court reconvened, Judge Powell, for the defense, took up the cross-examination of Ragsdale, who manifested extreme nervousness throughout the interrogation. He kept his hand over his mouth so that his answers were frequently inaudible and the

Attorneys had to admonish him. He also contradicted himself a number of times.

Replying to questions by Judge Powell, Ragsdale declared that on April 23, the day he made his original Affidavit, his mind was in a whirl and he was practically unconscious of what he did.

He said he couldn't remember who he saw first in Mr. Rosser's Office and his mind was so hazy that he is not positive who took down his Affidavit and that he has no exact recollection of what he said.

Ragsdale said that when the Affidavit was read to him prior to his signing it, he called attention to the true facts set out, but that he does not recall having pointed out the untruths.

Judge Powell handed Ragsdale the Affidavit he made to Solicitor Dorsey on April 27 in which he repudiated his original Affidavit. He was so nervous that he dropped the paper to the floor. After examining it, he declared that everything in this Affidavit was absolutely true.

DENIES DOPED STORY.

Ragsdale denied that he had claimed that he was doped and insisted that all he had said was that he was hazy and unconscious and that his brain was in a whirl.

It is understood that the Defense will put up members of the Grand Jury which returned the indictment against the defendants in an effort to prove that Ragsdale told the Grand Jurors that he was doped.

Judge Powell asked Ragsdale to identify an Affidavit which he made on November 14, 1914, to Basil Stockbridge, an Assistant in Solicitor Dorsey's Office, in which he swore that he felt in some kind of a doped condition at the time he made his original Affidavit. Judge Powell wanted to know if he now contended that he was doped.

Solicitor Dorsey objected to this question on the grounds that Ragsdale had not claimed to have been doped. Judge Hill admitted the question and Ragsdale said he hadn't said that he was doped; that he had said that while he was in Thurman's Office he asked for a glass of water and Thurman directed him to drink out of a large glass; and that later his mind became very hazy.

TELLS OF LAND DEALS.

Judge Powell questioned Ragsdale very closely concerning two law suits which had been brought against him for recovery of land by parties who alleged that Ragsdale had defrauded them out of it.

The witness admitted that he had set up as his defense in these suits that he had subsequently sold the land to third parties; therefore, the plaintiffs could not recover it. He admitted that a few weeks before the date he alleges to have received two hundred dollars for the Frank Affidavit he had sold part of the land in question to two of his sons and another party; a Mr. Heddon, for amounts aggregating \$15,000 and that on the very day he made the Affidavit he sold another parcel of the land to two of his sons for \$3,500.

At 2 o'clock Judge Hill adjourned Court for the day, with Ragsdale on the Stand.
